IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 22239 of 2004

Between:

1 Mohd.Afzaluddin Ahmed S/o.late Mohd,Ibrahim
H.No.1-5-269, Zamisatnapur, Musheerabad, Hyderabad.
2 Mohd.Tajuddin Ahmed S/o. Mohd.Afzaluddin Ahmed
H.No.1-5-269, Zamisatnapur, Musheerabad, Hyderabad.
3 Mohd.Mairajuddin Ahmed S/o. Mohd.Afzaluddin Ahmed
H.No.1-5-269, Zamisatnapur, Musheerabad, Hyderabad.
4 Mohd.Minhajuddin Ahmed S/o. Mohd.Afzaluddin Ahmed
H.No.1-5-269, Zamisatnapur, Musheerabad, Hyderabad.
5 Mohd.Wahajuddin Ahmed S/o. Mohd.Afzaluddin Ahmed
H.No.1-5-269, Zamisatnapur, Musheerabad, Hyderabad.

.. PETITIONERS

AND

1 Muncipal Corp of Hyderabad rep by its Commissioner
Tank Bund, Hyderabad.
2 Muncipal Corp of Hyderabad rep by its Deputy Commissioner
Circle III, Abids, Hyderabad.
3 Muncipal Corp of Hyderabad rep by its Asst.Country Planner
Circle III, Abids, Hyderabad. **...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ,order or direction, preferably one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not receiving the application for building permission from the Petitioners for the grant of building permission for the proposed construction of residential (Ground+2 Floor)building by the petitioners over the site belonging to them bearing Municipal No.s1-6-231, 1-6-231/1 and 1-6-242/1 situated at Zamistanput, Musheerabad, Hyderabad. pursuant to the representation dated 9-11-2004, as illegal, arbitrary and contrary to law and consequently direct the respondents and their subordinates to consider and grant the building permission y receiving the said application for building permission from the petitioners frothwith;

Counsel for the Petitioner:MR. SUSARLA RAMA SARMA

Counsel for the Respondents: MR.G.RAMA RAO

The Court at the stage of admission made the following :

ORDER:

The petitioners claim to be owners of the subject land having purchased under registered sale deeds on different dates and with an intention to construct a residential building over the said site by demolishing the existing structures, are stated to have made an application dated 16-8-2004 to the first respondent for sanction of building permission for the proposed construction. The grievance of the petitioners is that the officials of the first respondent are not receiving such application for sanction of building permission, on the ground that “no objection” from Revenue Department is required. The petitioner is stated to have also made a representation dated 9-11-2004 and alleges that no action was taken thereon.

Heard learned counsel for petitioner and learned Standing Counsel for respondent Mr.G.Rama Rao. Both counsel agreed for disposal of the writ petition at the admission stage.

Since the representation of the petitioner dated 9-11-2004 is pending with the respondents, without expressing any opinion on the merits of the matter, the writ petition is disposed of, directing the respondents 2 and 3 to dispose of the said representation expeditiously in accordance with law. No costs.

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N.V.RAMANA,J

10-12-2004

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner, Muncipal Corp of Hyderabad,
Tank Bund, Hyderabad.
2 The Deputy Commissioner, Muncipal Corp of Hyderabad
Circle III, Abids, Hyderabad.
3 The Asst.Country Planner, Muncipal Corp of Hyderabad
Circle III, Abids, Hyderabad.

4.2CCs to

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